

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE:	§	Case No. 16-10300-tmd
WESTECH CAPITAL CORP.,	§	
Debtor	§	Chapter 7

**TRUSTEE’S APPLICATION TO APPROVE PATRICK KEEL AS MEDIATOR FOR
*MILLIGAN V. GREEBURG TRAURIG, LLP***

This pleading requests relief that may be adverse to your interests.

If no timely response is filed within 21 days from the date of service, the relief requested herein may be granted without a hearing being held.

A timely response is necessary for a hearing to be held.

Gregory S. Milligan, Chapter 7 Trustee of Westech Capital Corp. f/k/a Tejas, Inc. (“Trustee”), moves for approval to retain and pay Patrick Keel to mediate the Trustee’s lawsuit against Greenburg Traurig, LLP.

1. Trustee believes it is appropriate to have a mediator employed to attempt to resolve the issues in the pending lawsuit, adversary No. 16-01078-tmd; *Gregory S. Milligan, Chapter 7 Trustee For Westech Capital Corporation vs. Greenberg Traurig, LLP*.

2. According to his resume, Mr. Keel is a former state district judge, has mediated and arbitrated thousands of disputes, including those involving commercial contracts, construction contracts, employment law, trade secrets, patent, copyright, trademark, real estate, class actions, administrative law, probate, defamation, professional malpractice, family law, and personal injury claims. He is an adjunct professor in the trial advocacy program at the University of Texas School of Law. <https://patrickkeel.com/> Trustee therefore believes Mr. Keel is well qualified.

3. The parties and Mr. Keel have agreed to mediate at the offices of Trustee's counsel, George Brothers Kincaid & Horton LLP, 114 West 7th Street, Suite 1100, Austin, Texas 78701, on 7/14/21, 9:00 a.m. for a full day.

4. The mediator's fee is \$2,150 per side (\$4,300 total), and includes the cost of lunch and his time studying the parties' materials in advance. Payment is due at the beginning of the session. Any additional time will be billed at \$500 per hour total. In the event the mediation is cancelled or postponed within two business days of the scheduled session, one-half of the fee will be due.

5. Based upon Mr. Keel's sworn declaration attached hereto, the Trustee believes Mr. Keel does not hold or represent any interest adverse to that of the Debtor or the debtor's estate and that Mr. Keel is a disinterested person within the meaning of 11 U.S.C. § 101 (13).

For the foregoing reasons, the Trustee requests that Patrick Keel be approved as the mediator to render services as stated, and that the Trustee be authorized to pay the mediator's fee.

Respectfully submitted,

/s/ Nathaniel Peter Holzer

Nathaniel Peter Holzer

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ATTORNEY FOR TRUSTEE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing was served via the CM/ECF to the parties listed on the attached service list on June 4, 2021.

/s/ Nathaniel Peter Holzer

Nathaniel Peter Holzer

Westech ECF Service List

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